

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

BOLLORÉ, S.A., ET AL.,

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Plaintiffs,

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CIVIL ACTION NO. 3:99CV01196-R

IMPORT WAREHOUSE INC., ET. AL.,

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Defendants.

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FINAL CONTEMPT JUDGMENT

CAME ON to be considered the Plaintiff Bollor  , S.A.'s ("Bollor  ") Motion for Contempt, against Defendants Adham Makki, Tarek Makki, Joseph "Jihad" Makki and the company Best Price Wholesale (collectively, the "Makki Defendants"), and upon consideration of the Motion, Bollor  's Brief in Support of its *Ex Parte* Motion for a Temporary Restraining Order, the exhibits presented, the preceding filings, the Declaration and testimony of James Babbish, the testimony of Adham Makki, Tarek Makki, Thomas F. Helms, III, Kamal Turfah, Ali Mackie and Joseph "Jihad" Makki at the May 2001 contempt hearing, and the arguments of counsel,

IT IS THEREFORE ORDERED that the Makki Defendants, their agents, officers, employees, representatives, successors and assigns, and all other persons, firms or corporations acting in concert, privity or participation with them are in civil contempt.

IT IS FURTHER ORDERED that judgment be entered in favor of Bollor  and against the Makki Defendants in the amount of \$4.5 million as compensatory damages for losses sustained as a result of the Makki Defendants' violation of this Court's Order

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IT IS FURTHER ORDERED that judgment be entered in favor of Bolloré and against the Makki Defendants in the amount of \$4.5 million as a reasonable estimate of the profits the Makki Defendants received as a result of their contemptuous conduct.

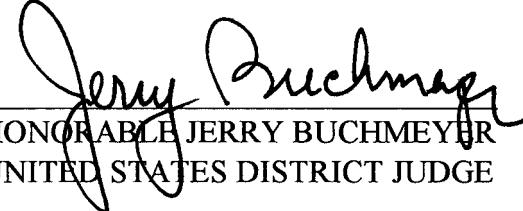
IT IS FURTHER ORDERED that judgment be entered in favor of Bolloré and against the Makki Defendants in the amount of \$1 million as reasonable costs and attorneys' fees incurred in investigating and bringing the contempt proceeding.

IT IS FURTHER ORDERED that judgment be entered in favor of Bolloré and against the Makki Defendants in the amount of \$1 million as a reasonable amount to compensate for the loss of the goodwill of the Zig-Zag® Trademarks.

IT IS FURTHER ORDERED that pursuant to the Settlement Term Sheet (the "Term Sheet") and Addendum to Term Sheet entered into by Plaintiffs Bolloré, North Atlantic Trading Company ("NATC") and North Atlantic Operating Company ("NAOC") (collectively "Plaintiffs") and Defendants Adham Makki, Zeina Hamed, Best Price Wholesale, Inc., Tarek Makki, Joseph "Jihad" Makki, Impex, Inc., Kamal Turfah, WS Imports, Kal Imports, Hala Makki, Global Impex Co., Ali Mackie and General Imports (collectively "Settling Defendants"), this Final Contempt Judgment shall be placed in escrow with the Court, which will retain jurisdiction of the matter to enforce the terms of the Term Sheet, Addendum to Term Sheet and the Final Contempt Judgment.

IT IS FURTHER ORDERED that the Final Contempt Judgment shall be enforced against the Settling Defendants if they are found to be in violation of the terms in the Term Sheet, Addendum to Term Sheet and the Final Contempt Judgment

ENTERED AND SO ORDERED THIS 12 day of July, 2002 at 11:00
o'clock a.m.


HONORABLE JERRY BUCHMEYER
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that on the 11th day of July 2002, a true and correct copy of the foregoing "Final Contempt Judgment" was served, via United States Mail, First Class, postage prepaid, on the following, as follows:

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